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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/773,682	01/31/2001	Jeremy Burr	INTL-0456-US (P9810)	8497
59796 7590 05/04/2007 INTEL CORPORATION c/o INTELLEVATE, LLC P.O. BOX 52050 MINNEAPOLIS, MN 55402			EXAMINER TRAN, PHILIP B	
			ART UNIT 2155	PAPER NUMBER
			MAIL DATE 05/04/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

09/773,682

Applicant(s)

BURR, JEREMY

Examiner

Philip B. Tran

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 16 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 53-72 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 53-72 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 3/16/07.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. This office action is in response to the Amendment filed on 03/16/2007. Claims 53 and 63 have been amended. Therefore, claims 53-72 are pending and presented for further examination.

#### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 53-72 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gatz et al (Hereafter, Gatz), U.S. Pat. Application Pub. No. US 2002/0049806 A1 in view Almassy, U.S. Pat. No. 7,177,651.

Regarding claim 53, Gatz teaches an apparatus comprising: a communication device and having a restricted list of contacts wherein the communication device is limited to communicate with only the contacts associated with the restricted list, and wherein the restricted contact list is determined by an administrator and set by a different device (= parent control list restricts contact list that a child can have) [see Abstract and Paragraphs 0053 & 0069 & 0073-0080].

Though Gatz suggests that implementation of wireless devices in a wireless communication is well-known in the art [see Gatz, Paragraphs 0039 & 0051], Gatz does not explicitly support the implementation of wireless devices in a wireless access control

communication system and storing of restricted contact list on a base station based on its provisional application 60/204,910 filed on May 16, 2000. However, Almassy, in the same field of controlling restricted list of contact information endeavor, discloses the base station is controlling a restricted list of contact information (telephone numbers) [see Almassy, Abstract and Fig. 1]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the teaching of Almassy into the teaching of Gatz in order to allow efficiently exchanging position information for communication between devices based on the controlling of restricted list of contact information.

Regarding claim 54, Gatz further teaches the apparatus of claim 53 wherein the wireless communication device is configured to communicate using text messaging [see Paragraphs 0013 & 0061].

Regarding claim 55, Gatz further teaches the apparatus of claim 54 wherein the text messaging comprises instant messaging [see Paragraphs 0014 & 0071 & 0080].

Regarding claim 56, Gatz further teaches the apparatus of claim 53 wherein the wireless communication device is adapted to communicate using a telephone communication media [see Paragraphs 0051 & 0086].

Regarding claim 57, Gatz further teaches the apparatus of claim 53 wherein the different device comprises a personal computer connected to a network [see Paragraph 0051].

Regarding claims 58-60 and 72, Gatz does not explicitly teach the wireless communication device includes a transceiver to facilitate communications with contacts on the restricted list via a base station and wherein the base station comprises a local wireless router and wherein the base station comprises a transceiver coupled to a personal computer and a plurality of wireless communication devices operative to communicate with the base station, and a respective restricted list associated with each of the wireless communication devices.

However, Almassy, in the same field of controlling restricted list of contact information endeavor, discloses the base station is controlling a restricted list of contact information (telephone numbers) and the wireless communication device includes a transceiver to facilitate communications with contacts on the restricted list via a base station [see Almassy, Abstract and Fig. 1]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the teaching of Almassy into the teaching of Gatz in order to realize that a wireless device should include a transceiver to communicate with other devices (personal computers, telephones, routers, etc) [see Gatz, Paragraph 0051] via a base station such as a tower and to allow efficiently exchanging position information for communication between devices based on the controlling of restricted list of contact information.

Regarding claim 61, Gatz further teaches apparatus of claim 53 wherein the restricted list is maintained on a local memory of the wireless communication device [see Paragraph 0052, Page 9 left Column].

Regarding claim 62, Gatz further teaches the apparatus of claim 53 wherein the restricted list is maintained on the different device and downloaded to the wireless communication device [see Paragraphs 0053 & 0069 & 0073-0080].

Claim 63 is rejected under the same rationale set forth above to claim 53.

Regarding claim 64, Gatz further teaches the article of claim 63 including instructions causing the processor-based system to create the restricted list of contacts based on an administrator's input, and download the restricted list to the wireless device [see Paragraphs 0053 & 0069 & 0073-0080].

Regarding claim 65, Gatz further teaches the article of claim 63 wherein the tangible medium comprises a memory in the wireless device [see Paragraphs 0052, Page 9 left Column].

Claim 66 is rejected under the same rationale set forth above to claim 61.

Regarding claim 67, Gatz further teaches the article of claim 63 wherein the communication media comprises, in part, the Internet [see Paragraphs 0014 & 0044, 0049 & 0081 & 0087].

Regarding claim 68, Gatz further teaches the article of claim 63 wherein the wireless device comprises a telephone [see Paragraphs 0051 & 0086].

Claim 69 is rejected under the same rationale set forth above to claim 53.

Claim 70 is rejected under the same rationale set forth above to claim 60.

Regarding claim 71, Gatz further teaches the system of claim 70 wherein the restricted list may be created and modified via the personal computer [see Paragraph 0051].


### ***Conclusion***

4. Applicant's arguments with respect to claims 53-72 have been considered but are moot in view of the new ground(s) of rejection.

5. A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS ACTION IS SET TO EXPIRE THREE MONTHS FROM THE MAILING DATE OF THIS COMMUNICATION. FAILURE TO RESPOND WITHIN THE PERIOD FOR RESPONSE WILL CAUSE THE APPLICATION TO BECOME ABANDONED (35 U.S.C. § 133). EXTENSIONS OF TIME MAY BE OBTAINED UNDER THE PROVISIONS OF 37 CAR 1.136(A).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip Tran whose telephone number is (571) 272-3991. The Group fax phone number is (571) 273-8300. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar, can be reached on (571) 272-4006.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Philip B. Tran  
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Art Unit 2155  
April 25, 2007